

# EXHIBIT A

M5VVSHE1

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

New York, N.Y.

v.

20 Cr. 412 (AT)

TIMOTHY SHEA,

Defendant.

Trial

May 31, 2022  
9:00 a.m.

Before:

HON. ANALISA TORRES,

District Judge  
and a Jury

APPEARANCES

DAMIAN WILLIAMS

United States Attorney for the  
Southern District of New York

BY: ALISON G. MOE

NICOLAS T. ROOS

ROBERT B. SOBELMAN

Assistant United States Attorneys

MERINGOLO & ASSOCIATES P.C.

Attorneys for Defendant

BY: JOHN C. MERINGOLO

ANGELICA B. CAPPELLINO

CLARA S. KALHOUS

Also Present: Sunny Drescher, Paralegal Specialist, USAO

M5VVSHE3

Charge

1 is immaterial what the defendant's motive for the crime or  
2 crimes may be or whether the defendant's motive was shown at  
3 all. The presence or absence of motive is, however, a  
4 circumstance which you may consider as bearing on the intent of  
5 the defendant.

6 It is unimportant whether a victim might have  
7 discovered the fraudulent scheme charged in Count One had the  
8 victim probed further. If you find that a scheme or artifice  
9 to defraud or obtain money or property by means of materially  
10 false or fraudulent pretenses, representations, or promises  
11 existed, it is irrelevant whether you believe that a victim was  
12 careless, gullible, or even negligent. Carelessness,  
13 gullibility, or negligence on the part of the victim is no  
14 defense to a charge of fraud.

15 You have heard evidence that We Build the Wall hired  
16 lawyers. A lawyer's involvement with an individual or entity  
17 does not itself constitute a defense to any of the charges in  
18 this case. The defense has not claimed and cannot claim that  
19 the defendant's conduct was lawful because he acted in good  
20 faith on the advice of a lawyer.

21 If you conclude that other people may have been  
22 involved in criminal acts charged in the indictment, you may  
23 not draw any inference, favorable or unfavorable, toward either  
24 the government or the defendant from the fact that those people  
25 are not named as defendants in the indictment or are not